

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RYAN MINETT,

Plaintiff,

-against-

THE CITY OF NEW YORK; NEW YORK CITY
MAYOR BILL DE BLASIO; NEW YORK POLICE
DEPARTMENT (“NYPD”) COMMISSIONER DERMOT
SHEA; NYPD DEPUTY COMMISSIONER FOR LEGAL
MATTERS ERNEST F. HART; NYPD DEPUTY
INSPECTOR ROBERT O’HARE; NYPD OFFICER
CHRISTOPHER EMMART, SHIELD #13299; JOHN
DOE NYPD SERGEANT NO. 1; JOHN AND/OR JANE
DOE NYPD MEMBERS 2-6; and JOHN DOE 7 NYPD
LEGAL BUREAU SUPERVISOR,

**STIPULATION AND ORDER
OF SETTLEMENT OF
ATTORNEY’S FEES, COSTS,
AND EXPENSES**

21 Civ. 08161 (CM)(GWG)

Defendants.

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WHEREAS, plaintiff commenced this action by filing a complaint on October 1, 2021, alleging violations of constitutional rights; and

WHEREAS, on or about May 17, 2022, pursuant to Rule 68 of the Federal Rules of Civil Procedure, defendant City of New York made an Offer of Judgment to plaintiff; and

WHEREAS, on May 31, 2022, plaintiff accepted defendant City’s Offer (Dkt. # 23); and

WHEREAS, all defendants deny any and all liability arising out of plaintiff’s allegations; and

WHEREAS, plaintiff’s counsel represents that plaintiff has assigned all of his rights to attorneys’ fees, expenses, and costs to his counsel; and

WHEREAS, counsel for defendants and counsel for plaintiff now desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced remaining claims for attorney's fees, expenses, and costs are hereby resolved, with prejudice, and without attorney's costs, expenses, or fees in excess of the amount specific in paragraph '2' below.

2. Defendant City of New York hereby agrees to pay attorneys' fees and costs in the amount of Seventy Five Thousand Dollars (\$75,000.00) to Cohen & Green P.L.L.C. and Gideon O. Oliver, Esq., as attorneys for Plaintiff Ryan Minett, in full satisfaction of all Plaintiff's claims for attorneys' fees, expenses, and costs. In consideration for the payment of Seventy Five Thousand Dollars (\$75,000.00), counsel for plaintiff agrees to release and discharge defendants Mayor Bill De Blasio, Dermot Shea, Ernest F. Hart, Robert O'Hare, Police Officer Christopher Emmart, and City of New York; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

3. Plaintiff Ryan Minett has assigned his rights to attorneys' fees, expenses and costs to his attorneys, Cohen & Green P.L.L.C and Gideon O. Oliver, Esq.

4. Counsel for plaintiff hereby agrees and represents that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiff in any application for attorneys' fees, expenses, or costs at any time.

5. Plaintiff's attorneys shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation, a release based on the terms of paragraphs 2 and 3 above.

6. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.

7. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

8. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
April 20, 2023

COHEN & GREEN P.L.L.C.
Attorneys for Plaintiff Minett
1639 Centre Street
Ridgewood, New York 11385

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street
New York, New York 10007

By:



Elena Cohen

By:



Daniel Braun
Senior Counsel

Gideon O. Oliver, Esq.
Attorney for Plaintiff Minett
277 Broadway, Suite 1501
New York, NY 10007

SO ORDERED:

By:



Gideon Oliver

Colleen M. McMahon, U.S.D.J.